

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-27244-2015 (O & M)
Date of decision: 19.01.2016

Jaswinder Singh ...Petitioner(s)

Versus

State of Haryana and anr. ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Parminder Singh, Advocate,
for the petitioner(s).

Mr. Arun Luthra, AAG, Haryana.

Rajan Gupta, J. (oral)

Petitioner has filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.12 dated 10.01.2013 registered under Sections 294, 323, 506 and 435 IPC at Police Station Butana, District Karnal, on the basis of compromise.

Learned counsel for the petitioner submits that a compromise has been arrived at between the parties and dispute has been amicably settled. Relying upon the judgment reported as ***Kulwinder Singh and others vs. State of Punjab, 2007(3) RCR (Crl.) 1052***, learned counsel submits that in view of compromise, the impugned FIR deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in *Kulwinder Singh's case (supra)* and submits that in case a compromise is arrived at between the parties, the State would not stand in the way of quashing of FIR.

Heard.

It appears that on October 12, 2015, a direction was issued

by this court to record the statements of the parties with regard to validity or otherwise of the compromise. A report has been received from the trial court. Operative part thereof reads thus:-

“The undersigned is satisfied that compromise entered into by the parties is without any pressure and undue influence. Both the parties have freely consented to the compromise. The point wise submission as directed by the Hon'ble High Court is as under:-

(1) No person has been declared as Proclaimed Offender in this case.

(2) In this case only one accused has been arrayed as accused namely Jaswinder Singh son of Shri Makhan Singh, resident of village Nigdhu, Tehsil Nilokheri, District Karnal.

(3) In my opinion, the compromise is genuine one, because both the parties have assembled in the court and have made statements voluntarily.”

Compromise is in the interest of the parties and after the matter has been resolved by an amicable settlement, no useful purpose is likely to be served by continuance of the criminal proceedings. In view of the above, the present FIR and the subsequent proceedings arising therefrom deserve to be quashed in light of Full Bench judgment of this court in *Kulwinder Singh's case (supra)*.

Resultantly, the present petition is allowed. The FIR in question and the subsequent proceedings arising therefrom are quashed.

(RAJAN GUPTA)
JUDGE

19.01.2016
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